

Application No. 10/578,340  
Amendment  
Reply to Office Action of November 15, 2007

PATENT

**Amendments to the Drawings:**

Attached are replacement sheets for drawing Figs. 2A and 3. Fig. 2A was revised by adding to it reference numeral 97. Fig. 3 was revised by changing "LYP" to "LVP", by adding reference letter "R" along the top line of the drawing figure, and by changing reference numeral 94 to 94' and 98' to 98" as required in the Office Action. No new matter has been added.

Attachment: Replacement Sheets

**REMARKS/ARGUMENTS**

The specification has been revised to conform it to the preferred format for U.S. patent applications as required in the Office Action, and a Substitute Specification and Comparison Copy are submitted herewith.

Claims 15-28 are pending in this application. No claims have been amended.

Claims 15-17, 20-24 and 27-28 were rejected for anticipation by Lapanashvili (WO 2001/13990), and claims 18, 19, 25 and 26 were rejected for obviousness over the same reference in view of Minogue (US 2002/0058972).

Through a string of continuations and divisions as is set forth on page 2 of the ADS, the present application is a CIP of PCT/EP00/07933 filed August 20, 1999.

The Lapanashvili reference over which the claims of the present application were rejected was filed August 14, 2000 (subsequent to the August 20, 1999 priority date for the present application) and was published March 1, 2001, more than one and a half years subsequent to the priority date for the present application.

In view thereof, WO 2001/13990 A1 is not an effective prior art reference against the present application.

Applicant therefore requests that the anticipation and obviousness rejections of claims 15-28 be withdrawn and that this application be allowed.

With regard to the drawings, the Office Action objected to the use of "34" to designate both the display and the electrocardiogram. Applicant has revised page 9 of the application and on the last line of the second paragraph on that page changed the reference numeral "34" to "32" so that the ending phrase of that paragraph now reads "... the electrocardiogram 32."

The Office Action further objected to the use of "36" to designate both the pulse generator and the processor. As a practical matter, the processor 36 acts as a pulse generator and, therefore, it is not inappropriate to use the same reference numeral for both items. In view

thereof, applicant amended page 10 of the specification, second paragraph, by stating that reference numeral 36 refers to the “processor or pulse generator”.

The Office Action further observed that the “... dotted lines ...,” represented by reference numeral 98 is not shown in the drawings. Fig. 2A has been amended to show reference numeral 97 for the dotted line, and page 23, first paragraph of the specification, has been amended by changing the reference numeral for the dotted line in Fig. 2A from “98” to “97”.

The Office Action further objected to drawing Fig. 3. Applicant has complied with the Examiner’s suggestions and changed “LYP” to “LVP” and changed the reference numerals in the section denoted “B” in Fig. 3 from 94 and 98' to 94' and 98".

The foregoing revisions to the drawings and the specification address and overcome all formality objections to the drawings and the specification.

In the context of drawing revisions, applicant points out that Fig. 3 was additionally clarified by identifying the peaks of the electrocardio diagram (curve 86 in Fig. 3) with the letter “R”. Still further, the letter “T” was added to Fig. 3 in the upper left-hand corner to identify the T-wave there in the same manner as it is identified in the other sections of Fig. 3.

Thus, pending claims 15-28 are allowable over the applied prior art references and in full compliance with Section 112.

**CONCLUSION**

In view of the foregoing, applicant submits that this application is in condition for allowance, and a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4730 (direct dial).

Respectfully submitted,

  
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